

1 of 8 DOCUMENTS

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RULE PROPOSALS

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF EXAMINERS OF MASTER PLUMBERS

40 N.J.R. 1607(a)

Proposed Readoption with Amendments: *N.J.A.C. 13:32*

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Rules of the State Board of Examiners of Master Plumbers

Authorized By: State Board of Examiners of Master Plumbers, Barbara Cook, Executive Director.

Authority: *N.J.S.A. 45:14C-7*.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2008-85.

Submit written comments by May 16, 2008 to:

Barbara Cook, Executive Director

New Jersey Board of Examiners of Master Plumbers

Post Office Box 45008

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The agency proposal follows:

Summary

The State Board of Examiners of Master Plumbers (Board) proposes to readopt *N.J.A.C. 13:32* with amendments. These rules are scheduled to expire on September 24, 2008, pursuant to N.J.S.A. 52:14B-5.1c.

In compliance with the Executive Order No. 66 (1978), the Board undertook a thorough review of the existing provisions of *N.J.A.C. 13:32* in order to delete unnecessary or unreasonable rules and to propose amendments that the Board believes are needed to clarify and assist in the practice of plumbing. The Board believes that the rules proposed

for readoption, as amended, are necessary, reasonable, understandable and responsive to the purpose for which they were originally promulgated. These rules have had an advantageous impact on the regulation and conduct of the plumbing profession by enabling the Board to have in place procedures, which serve and protect the public's best interest. The following summarizes each subchapter in *N.J.A.C. 13:32* and amendments proposed to the existing rules.

Subchapter 1 sets forth the purpose and scope of the rules, Board meetings and definitions. *N.J.A.C. 13:32-1.1* states that Chapter 32 implements *N.J.S.A. 45:14C-1* et seq., and provides for the licensing of master plumbers. *N.J.A.C. 13:32-1.2* sets forth criteria for Board meetings. *N.J.A.C. 13:32-1.3* sets forth definitions for terms used in *N.J.A.C. 13:32*. The definition of the term "plumbing" as proposed to be replaced and reorganized for clarity without changing the substance of the definition. The definition of the term "plumbing contractor" is proposed for amendment to clarify that all of *N.J.A.C. 13:32* governs the practice of bona fide representatives. The definition of "supervisory journeyman plumber" is proposed for amendment to recognize that, pursuant to *N.J.S.A. 45:14C-15*, an apprenticeship program need only be approved by the United States Department of Labor.

N.J.A.C. 13:32-1.4 sets forth the scope of practice for licensed master plumbers. Paragraph (c)7 of this rule states that installation and completion of plumbing at no cost is within the scope of practice of a licensed master plumber. This provision was adopted to clarify that even when an individual does not charge for plumbing services, those services are still services that must be performed by a licensed master plumber. The Board is proposing to delete paragraph (c)7 and propose new subsection (d) to clarify the intent of this provision. The Board also proposes to amend *N.J.A.C. 13:32-1.4* to clarify language.

Subchapter 2 deals with applications for licensure. *N.J.A.C. 13:32-2.1* sets forth the eligibility requirements for examination. The Board proposes to amend this rule to correct a cross-reference in subsection (c). *N.J.A.C. 13:32-2.2* sets forth experience requirements for licensure. The board proposes to amend this rule to delete reference to a definition of "plumbing apparatus" in *N.J.S.A. 45:14C-2(g)*. This statute does not provide a definition for the term and the Board believes that the term is easily understood without a definition. The Board also proposes to amend the rule to clarify that an apprenticeship program need only be approved by the United States Department of Labor. *N.J.A.C. 13:32-2.3* sets forth the examination an applicant must complete and *N.J.A.C. 13:32-2.4* permits an applicant who has failed this examination to review his or her examination. *N.J.A.C. 13:32-2.5* sets forth what must be submitted to the Board after an applicant has passed the licensing examination.

N.J.A.C. 13:32-2.6 sets forth requirements for renewal of licenses. A licensee who fails to renew his or her license will be suspended. Subsection (b) states that, if the Board fails to send out notices of renewals at least 60 days prior to the renewal date, no monetary penalties shall apply for failure to renew. The Board proposes to amend this rule so that monetary penalties will not apply for the time during which the Board was late in sending out renewals. The Board also proposes to amend this rule to clarify that provisions for reinstatement after being suspended apply solely to suspensions for failure to renew and not to suspensions imposed for disciplinary reasons.

Subchapter 3 addresses identification of a licensee, bona fide representatives and supervision. *N.J.A.C. 13:32-3.1* deals with identifying licensees and advertising. The Board proposes to amend this rule to require that any business address shown on business documents or advertisements be the licensed master plumber's New Jersey business address. *N.J.A.C. 13:32-3.2* imposes requirements on licensed master plumbers who act as bona fide representatives for plumbing contractors. The Board proposes to clarify language and to require that the business address filed with the Board be the New Jersey business address. The Board also proposes to delete reference to *N.J.S.A. 45:14C-2* from subsections (a), (c) and (d). These references indicate that the statute clarifies the legal entities for which a bona fide representative may act. The statute does provide this clarification and the references are unnecessary. The Board proposes to reorganize subsection (c) without changing the substance of the subsection. The Board also proposes to reorganize subsection (d) and to impose a new requirement that a licensee notify the Board within 10 days of being appointed as the supervising licensee for a firm that no longer has a bona fide representative because of death, illness or disability.

N.J.A.C. 13:32-3.3 sets forth the responsibilities of bona fide representatives. The Board proposes to amend this rule to require that the address used by the bona fide representative be a New Jersey address. *N.J.A.C. 13:32-3.4* deals with the responsibility of a licensed master plumber who contracts to perform work. The heading of this rule indicates that the rule deals with supervision, which is inaccurate. The Board proposes to amend this rule to change its heading to: "Responsibility of licensed master plumber to perform contracted work."

Subchapter 4 contains general requirements of licensure. *N.J.A.C. 13:32-4.1* deals with a licensed master plumber's pressure seal. The Board proposes to amend this rule to clarify that it applies to suspension based upon failure to renew, to cite to the Board's rule on renewal, *N.J.A.C. 13:32-2.6*, and to delete reference to the general statutory provision for renewal, *N.J.S.A. 45:1-7.1*. *N.J.A.C. 13:32-4.2* deals with identification cards issued to licensed master plumbers by the Board. *N.J.A.C. 13:32-4.3* deals with the bonds that all licensed master plumbers' are required to have. The Board proposes to amend this rule to clarify that Board rules are codified in *N.J.A.C. 13:32*. *N.J.A.C. 13:32-4.4* requires licensed master plumbers to notify the Board upon change of address. The Board proposes to amend this rule to clarify that the office address must be a New Jersey office address. The Board proposes to amend this rule to clarify language. *N.J.A.C. 13:32-4.5* prohibits a licensed master plumber from charging an excessive fee.

Subchapter 5 sets forth the Board's fee schedule.

Subchapter 6 sets forth continuing education requirements. *N.J.A.C. 13:32-6.1* sets forth continuing education requirements for licensees. *N.J.A.C. 13:32-6.2* sets forth standards for the approval of continuing education sponsors. The Board proposes to amend this rule to correct the citation to the continuing education sponsor application fee. *N.J.A.C. 13:32-6.3* sets forth how topics for continuing education courses will be determined and *N.J.A.C. 13:32-6.4* sets forth how much credit will be awarded for continuing education courses. *N.J.A.C. 13:32-6.5* allows the Board to waive continuing education requirements for reasons of hardship or other good cause.

Subchapter 7 sets forth requirements for certified medical gas piping installers, brazers and instructors. *N.J.A.C. 13:32-7.1* sets forth the purpose and scope of Subchapter 7. *N.J.A.C. 13:32-7.2* sets forth definitions used in the subchapter. *N.J.A.C. 13:32-7.3* sets forth certification requirements for medical gas piping installers and *N.J.A.C. 13:32-7.4* sets forth the requirements for medical gas piping brazers. *N.J.A.C. 13:32-7.5* sets forth certification requirements for medical gas piping instructors and *N.J.A.C. 13:32-7.6* sets forth grandfathering provisions for individuals who were engaged in installing or brazing prior to January 7, 2004. *N.J.A.C. 13:32-7.7* sets forth renewal requirements for certificants. The Board proposes to amend this rule to clarify that reinstatement provisions only apply to individuals who were suspended for failure to renew, not to those who were suspended for disciplinary reasons.

The Board has determined that the comment period for this proposal shall be 60 days; therefore, pursuant to *N.J.A.C. 1:30-3.3(a)5*, this proposal is excepted from the rulemaking calendar requirement.

Social Impact

The rules proposed for readoption with amendments will continue to ensure the proper practice of plumbing by licensees. The rules establish practice standards and ensure that plumbers remain accountable to the public and the Board. The proposed readoption of the current rules and amendments benefit the Board and licensees by providing procedures for the orderly administration of the Board and by establishing clear practice guidelines.

Certain sections of the readopted rules will have a direct social impact. The educational and testing requirements of *N.J.A.C. 13:32-2.2* and *2.3* ensure that licensed individuals who provide plumbing services are adequately prepared to provide those services in a safe and effective manner. *N.J.A.C. 13:32-2.6* ensures that, when a licensed master plumber on inactive status wishes to return to active status, the licensed master plumber demonstrates completion of the continuing education requirements. This ensures that licensees who return to active status are still proficient in plumbing. The rule also requires that licensed master plumbers who are suspended because they failed to renew licensure maintain proficiency by completing continuing education requirements and, if the licensed master plumber has

been suspended for more than five years, passing the licensing examination.

N.J.A.C. 13:32-3.1 requires licensees to list their name, license number and address or municipality on all commercial vehicles, business correspondence and advertisements. This ensures that the public will know with whom they are dealing when they receive plumbing services and can identify licensees to the Board if they encounter any problems with the services they receive. The rule also requires licensees who intend to subcontract, or have subcontracted in the past year, more than one-third of their work to state in all advertisements that they subcontract to independent licensed plumbing subcontractors. This provides the consumer with information that he or she needs when contracting for plumbing services. The responsibilities of a bona fide representative, set forth by *N.J.A.C. 13:32-3.3*, ensure that bona fide representatives are acting in a way that protects the public. The rule also sets forth requirements for a bona fide representative when subcontracting occurs. This ensures that subcontracted work is performed correctly, is adequately supervised and that the consumer has recourse if any work is done improperly. *N.J.A.C. 13:32-3.4* requires that all plumbing work be performed by licensees or their employees, so that all work is done properly.

N.J.A.C. 13:32-4.1 imposes penalties on individuals who misuse a pressure seal, which ensures that only licensed master plumbers will use these seals to obtain plumbing permits. *N.J.A.C. 13:32-4.2* imposes similar penalties for the misuse of an identification card. *N.J.A.C. 13:32-4.3* allows any consumer whose property is damaged or who is defrauded due to the actions of a licensed master plumber to take action on the plumber's surety bond. This ensures that consumers have recourse when harmed by the actions of a licensed master plumber. *N.J.A.C. 13:32-4.5* prevents licensed master plumbers from charging consumers unconscionable prices, so that no one is overcharged for plumbing services.

The continuing education requirements of Subchapter 6 ensure that licensed master plumbers maintain proficiency in plumbing. The certification requirements of Subchapter 7 ensure that the individuals who are engaged in installing or brazing medical gas piping are adequately prepared to provide these services.

Economic Impact

Some of the rules proposed for readoption or amendment will have an economic impact on applicants for licensure and licensees.

Subchapter 2 imposes costs on applicants for licensure. These individuals must bear the cost of preparing and submitting an application for the licensing examination, paying the application fee, completing the educational requirements and taking the licensing examination. While the Board does not charge for the examination, the applicant must pay a fee for it to the company that administers the examination. The subchapter also imposes costs on licensees by requiring that all licensees renew licensure biennially. Further costs are imposed on licensees who allow their licensure to lapse, if they wish to have licensure reinstated.

N.J.A.C. 13:32-3.1 requires licensed master plumbers to have certain information on all commercial vehicles, correspondence and advertisements. The cost of complying with these requirements is borne by licensees. *N.J.A.C. 13:32-3.2* and *3.3* impose requirements on bona fide representatives to, among other things, register with the Board, supervise employees and report to the Board and consumers when changes occur to the company. The cost of complying with these requirements is borne by the licensee acting as the bona fide representative.

N.J.A.C. 13:32-4.1 and *4.2* impose penalties when a licensee allows his or her pressure seal or identification card to be used by unauthorized individuals. These penalties can include monetary fines, the cost of which would be borne by the licensed master plumber. In addition, *N.J.A.C. 13:32-4.1* requires licensees to pay a fee for the initial seal press and requires licensees who lose a pressure seal to apply to the Board for a replacement seal, the cost of applying for the replacement seal is borne by the licensee. *N.J.A.C. 13:32-4.4* requires licensees to inform the Board of his or her office address and any changes to the office address. The cost of informing the Board is borne by the licensee.

N.J.A.C. 13:32-5.1 sets forth the fees, which the Board assesses for services rendered to its licensees. The fee schedule has an economic impact on licensees and applicants for licensure.

Subchapter 6 imposes costs on licensees since they will have to pay a fee for the continuing education courses that these rules requires them to take. The Board, however, does not impose nor control the fees for such courses. The subchapter also impacts those individuals who apply for approval as a sponsor of a continuing education course, as these individuals must pay a fee when applying for approval.

Subchapter 7 imposes costs on individuals applying for certification as medical gas piping installers, brazers and instructors. The costs of meeting certification requirements will be borne by these individuals. The subchapter also imposes costs for renewing certification and for those who seek reinstatement of certification after being suspended for failure to renew.

Federal Standards Statement

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the rules proposed for readoption with amendments.

Jobs Impact

The Board does not believe that the rules proposed for readoption with amendments will result in an increase or decrease in the number of jobs in this State.

Agriculture Industry Impact

The Board does not believe that the rules proposed for readoption with amendments will have any impact on the agriculture industry of this State.

Regulatory Flexibility Analysis

Since licensed master plumbers are individually licensed by the Board, they may be considered "small businesses" under the Regulatory Flexibility Act (the Act), *N.J.S.A. 52:14B-16* et seq.

The costs imposed on small businesses by the rules are the same costs that are imposed on all licensed master plumbers as set forth in the Summary and Economic Impact statement above. The Board does not believe that licensed master plumbers will need to employ any professional services to comply with the rules proposed for readoption with amendments. The rules proposed for readoption with amendments impose compliance, reporting and recordkeeping requirements as detailed in the Summary above.

As the compliance, reporting and recordkeeping requirements contained in the rules proposed for readoption with amendments are necessary to adequately regulate licensed master plumbers and protect consumers who use their services, the Board believes that the rules must be uniformly applied to all licensed master plumbers and no exemptions are provided based on the size of the licensed master plumber's business.

Smart Growth Impact

The Board does not anticipate that the rules proposed for readoption with amendments will have any impact on the achievement of smart growth and implementation of the State Development and Redevelopment Plan, otherwise known as the State Plan.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at *N.J.A.C. 13:32*.

Full text of the proposed amendments follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

13:32-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

...

["Plumbing" means the practice, materials and fixtures used in the installation, maintenance, extension, alteration, repair and removal of all piping, plumbing fixtures, plumbing appliances and plumbing apparatus in connection with any of the following: sanitary drainage, storm facilities and building sewers to their respective final connection to an approved point of disposal, venting systems, public and private water supply systems of any premises to and within the property line of any building or structure to their final connection with an approved supply system. "Plumbing" also means the practice and materials used in the installation, maintenance, extension, alteration, repair or removal of stormwater, refrigeration and air conditioning drains, liquid waste or sewage. "Plumbing" does not include the final connection to an approved point of disposal or an approved supply system which extends beyond three feet of a building or structure.]

"Plumbing" means the practice, materials and fixtures used in the installation, maintenance, extension, alteration, repair and removal of all piping, plumbing fixtures, plumbing appliances and plumbing apparatus in connection with any of the following:

- 1. Sanitary drainage;**
- 2. Storm facilities and building sewers to their respective final connection to an approved point of disposal;**
- 3. Venting systems; and**
- 4. Public and private water supply systems of any premises to and within the property line of any building or structure to their final connection with an approved supply system.**

"Plumbing" also means the practice and materials used in the installation, maintenance, extension, alteration, repair or removal of storm water, refrigeration and air conditioning drains, liquid waste or sewage. "Plumbing" does not include the final connection to an approved point of disposal or an approved supply system which extends beyond three feet of a building or structure.

"Plumbing contractor" means any individual licensed master plumber operating as a sole proprietor who, or a firm, partnership, corporation or other legal entity, which undertakes for another the planning, laying out, supervising, installing or making of additions, alterations and repairs in the installation of plumbing who either acts, or has a licensed master plumber who acts, as a bona fide representative as required by *N.J.S.A. 45:14C-2(d)* and (h) and this [sub]chapter.

"Supervisory journeyman plumber" means an individual who has completed an apprenticeship program approved by [both a Federal agency and a Federally certified State agency recognized by the Board] **the United States Department of Labor** and has completed three additional years as a journeyman plumber working with tools in the installation, maintenance, extension, alteration, repair and removal of all piping, plumbing fixtures, plumbing appliances, and plumbing apparatus as defined in the word "plumbing."

...

13:32-1.4 Scope of practice

(a) (No change.)

(b) Plumbing shall **only** be performed by a master plumber, an authorized plumbing contractor, or by employees working under the supervision of a master plumber as permitted by *N.J.S.A. 45:14C-1* et seq. and *N.J.A.C. 13:32-3.3(a)3*.

(c) For purposes of this section, the following shall also be considered within the scope of the practice of plumbing and shall only be performed by individuals designated in (b) above:

1.-6. (No change.)

[7. Installation and completion of plumbing, at no cost, notwithstanding that the property is owned by a nonprofit organization;]

Recodify existing 8.-10. as **7.-9.** (No change in text.)

(d) If an individual does not charge for the services listed in (c) above, or if he or she provides such services for a non-profit organization, the provision of these services is the practice of plumbing and the individual shall be a licensed master plumber.

[(d)] **(e)** For purposes of this section, the following may be performed by **both** licensed master plumbers [or by] **and** individuals who are not licensed master plumbers:

1.-7. (No change.)

[(e)] **(f)** (No change in text.)

[(f)] **(g)** A licensed master plumber may perform a task listed in [(d)] **(e)** above, as long as he or she performs the task in a manner consistent with professional plumbing standards.

[(g)] **(h)** (No change in text.)

13:32-2.1 Eligibility for examinations

(a)-(b) (No change.)

(c) After the Board has reviewed the information required in (b) above, the Board shall send a letter that informs the applicant whether he or she is eligible to take the licensing examination required by *N.J.A.C. 13:32-[2.4]2.3* and, if deemed eligible, of the time and place of examination.

13:32-2.2 Experience requirements

(a) For purposes of this section, "practical hands-on experience" means experience in the installation, maintenance, extension, alteration, repair and removal of piping, plumbing fixtures, plumbing appliances and plumbing apparatus [as defined in *N.J.S.A. 45:14C-2(g)*]. Practical hands-on experience does not include time spent in performing managerial tasks, such as supervising, engineering, estimating, or time spent performing tasks, which do not constitute the practice of plumbing as defined in *N.J.A.C. 13:32-1.3*.

(b) Applicants for examination for a license as a master plumber shall present proof to the Board that he or she:

1. Has completed a four-year apprenticeship program approved by [both] the United States Department of Labor [and a Federally certified state agency,] and has completed one year of practical hands-on experience as a journeyman plumber; or

2. (No change.)

13:32-2.6 Renewal of license

(a) (No change.)

(b) The Board shall send a notice of renewal to each licensed master plumber, at least 60 days prior to the expiration of the license. If the notice to renew is not sent at least 60 days prior to the expiration date, no monetary penalties or fines shall apply to the holder for [failure to renew] **any unlicensed practice during the period following the licensure expiration, not to exceed the number of days short of the 60 before the notice of renewal was sent.**

(c) (No change.)

(d) A person who continues to practice or hold [him] **himself** or herself out as a licensed master plumber after being suspended **pursuant to (c) above** shall be deemed to have committed unlicensed practice pursuant to *N.J.S.A. 45:14C-12.3*, even if no notice of suspension has been provided to the person.

(e) A person seeking reinstatement within five years following the suspension of a license **pursuant to (c) above** shall submit the following to the Board:

1.-5. (No change.)

(f) A person seeking reinstatement after more than five years following the suspension of a license **pursuant to (c) above** shall successfully complete the examination required for initial licensure as set forth in *N.J.A.C. 13:32-2.3* and shall submit:

1.-4. (No change.)

(g)-(h) (No change.)

13:32-3.1 Identification of licensed master plumber; vehicles, stationery; advertising

(a) (No change.)

(b) All business correspondence, invoices and stationery shall display:

1.-2. (No change.)

3. The **New Jersey** business address, including the street name and number of the owner or qualified bona fide representative.

(c) All advertising shall include:

1. (No change.)

2. The **New Jersey** business address, including the street name and number of the owner or qualified bona fide representative; and

3. (No change.)

(d) Every State-licensed master plumber whose name, **New Jersey** office address, place of practice or license number appears or is mentioned in any advertisement of any kind or character shall be presumed to have caused, permitted, or approved the advertising and shall be personally responsible for its content and character.

(e) (No change.)

13:32-3.2 Bona fide representative; reporting responsibilities

(a) A licensed master plumber seeking to act as a bona fide representative for any firm, partnership, corporation or other legal entity [contemplated by *N.J.S.A. 45:14C-2*] shall comply with the following within 30 days of assuming the role of a bona fide representative:

1. Register with the Board, providing the name of the plumbing contractor, its **New Jersey** business address and if the plumbing contractor is a corporation, the names of the officers of record;

2.-4. (No change.)

(b) In order to evaluate the claims relating to the bona fide representatives ownership interest in the plumbing contractor pursuant to (a)2 above, the Board, at any time, may request that the bona fide representative provide any Federal, State or local government tax documentation, which the plumbing contractor is required to file with [the] governmental tax authorities.

(c) If a bona fide representative for any firm, partnership, corporation or other legal entity [contemplated by *N.J.S.A. 45:14C-1* et seq.] withdraws as the bona fide representative, the firm, partnership, corporation or other legal entity may continue to operate for 60 days without a bona fide representative provided that [a licensee supervises all work to be conducted in the same manner as required by a bona fide representative pursuant to *N.J.A.C. 13:32-3.3(a)3*, the bona fide representative and the firm, partnership, corporation or other legal entity notifies the Board within 10 days of the withdrawal of the bona fide representative and the supervising licensee notifies the Board within 10 days of being appointed as the supervising licensee.]:

1. A licensee supervises all work conducted in the same manner as required by a bona fide representative pursuant to *N.J.A.C. 13:32-3.3(a)3*;

2. The bona fide representative and the firm, partnership, corporation or other legal entity notifies the Board within 10 days of the withdrawal of the bona fide representative; and

3. The supervising licensee notifies the Board within 10 days of being appointed as the supervising licensee.

(d) If the bona fide representative for any firm, partnership, corporation or other legal entity [contemplated by *N.J.S.A. 45:14C-2*] is unable to perform the duties of a bona fide representative because of death, illness or disability, the firm, partnership, corporation or other legal entity may continue to operate for six months without a bona fide representative provided that [a licensed master plumber supervises all work to be conducted in the same manner as required by a bona fide representative pursuant to *N.J.A.C. 13:32-3.3(a)3* and the licensed master plumber and the firm, partnership,

corporation or other legal entity notify the Board within 10 days after the death, illness or disability of the bona fide representative.]:

1. A licensed master plumber supervises all work conducted in the same manner as required by a bona fide representative pursuant to *N.J.A.C. 13:32-3.3(a)*3;

2. The firm, partnership, corporation or other legal entity notify the Board within 10 days of the death, illness or disability of the bona fide representative; and

3. The supervising licensee notifies the Board within 10 days of being appointed as the supervising licensee.

13:32-3.3 Bona fide representative responsibilities

(a) A bona fide representative registered with the Board pursuant to *N.J.A.C. 13:32-3.2* shall:

1. Give notice to the Board in writing concerning any change in the name or address of the entity within 10 days of the change[.];

2. (No change.)

3. Supervise in the manner described in (a)3i through iv below the performance of all plumbing work performed by the plumbing contractor for which the licensed master plumber acts as the bona fide representative. Such supervision shall assure the effective compliance with State and local plumbing codes and the performance of work in accordance with proper plumbing practice[;].

i.-iv. (No change.)

4.-6. (No change.)

7. Provide each supervisory journeyman of the plumbing contractor that performs plumbing work with an identification card that includes:

i. (No change.)

ii. The name and **New Jersey** address of the plumbing contractor;

iii.-v. (No change.)

(b) (No change.)

(c) The bona fide representative of any plumbing contractor, which contracts to provide plumbing services to a consumer and wishes to subcontract that plumbing work to another plumbing contractor shall:

1.-2. (No change.)

3. Notify the consumer, prior to the beginning of any work, that the work has been subcontracted to another licensed master plumber or legally qualified plumbing contractor and provide the consumer with the name, **New Jersey** address and telephone number of the subcontractor and the name and license number of the subcontractor's bona fide representative;

4.-7. (No change.)

(d) (No change.)

13:32-3.4 [Supervision] **Responsibility of licensed master plumber to perform contracted work**

Any plumbing work that a licensed master plumber agrees to perform, that has not been subcontracted to another licensed master plumber, shall be performed only by the licensed master plumber or the employees of the licensed master plumber or the plumbing contractor.

13:32-4.1 Requirement of pressure seal; penalties for misuse; return of pressure seal

(a)-(d) (No change.)

(e) A licensed master plumber who [fails] **has been suspended for failure** to renew the license in accordance with *N.J.S.A. 45:1-7.1*] *N.J.A.C. 13:32-2.6* or who has had his or her license suspended or revoked for any reason shall return the pressure seal to the Board within 30 days of the suspension, revocation or lapse of license.

(f) (No change.)

13:32-4.3 Actions on the surety bond

(a) Any person, partnership or corporation, including any political subdivision of State government who has been injured, aggrieved or damaged through the failure of a licensed master plumber to perform the duties required by *N.J.S.A. 45:14C-1* et seq. or [any rule of the Board] **this chapter** shall be eligible to receive the financial protection of, and may maintain an action on the surety bond.

13:32-4.4 Change of address; service of process

(a) Every licensed master plumber shall notify the Board in writing of [the licensed master plumber's] **his or her New Jersey** office address. Every licensed master plumber shall notify the Board in writing of any change in his or her residence or [business] **office address** within 10 days after such change.

(b) (No change.)

13:32-6.2 Continuing education sponsors; Board approval; duties

(a) (No change.)

(b) A sponsor seeking Board approval shall appear before the Board and submit, prior to that appearance, the following:

1.-2. (No change.)

3. The continuing education sponsor application fee pursuant to *N.J.A.C. 13:32-[5.1(a)14]* **5.1(a)15**.

(c)-(g) (No change.)

13:32-7.7 Renewal of certificates

(a)-(c) (No change.)

(d) A person who continues to practice or hold him or herself out as a certificant after being suspended **pursuant to (c) above** shall be deemed to have engaged in uncertified practice pursuant to *N.J.S.A. 45:14C-28*, even if no notice of suspension has been provided to the person.

(e) A person seeking reinstatement within five years following the suspension of a certificate **pursuant to (c) above** shall submit to the Board:

1.-4. (No change.)

(f) A person seeking reinstatement after more than five years following the suspension of a certificate **pursuant to (c) above** shall successfully complete the examination required for initial certification as set forth in *N.J.A.C. 13:32-7.3(c)*, *7.4(c)* or *7.5(c)* and shall submit to the Board:

1.-4. (No change.)

(g)-(h) (No change.)